

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Wade Alan Knight,

Plaintiff,

VS.

County of Elko, et al.,

Defendants.

3:19-cv-00165-RCJ-WGC

ORDER

Plaintiff twice requests this Court to appoint counsel for his case where he attempts to bring causes of action against his public defender and Elko County under 42 U.S.C. § 1983.¹ However, the Court dismissed the case without prejudice in its Screening Order (ECF No. 5) holding that Plaintiff failed to state any viable claim.

A district court has the discretion under 28 U.S.C. § 1915(e)(1) to designate counsel to represent an indigent civil litigant in exceptional circumstances. *See Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986). Here, there are not exceptional circumstances requiring the appointment of counsel. The Court will not appoint counsel in this closed case because there does not appear to be any likelihood of success on the merits.

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1 One of these requests is in the form of a letter. The Court's local rules generally prohibit filing letters to the Court. LR IA-7-1. Accordingly, the Court strikes the letter.

Conclusion

IT IS HEREBY ORDERED that Plaintiff's Letter Requesting Appointment of Counsel (ECF No. 9) is STRICKEN.

IT IS FURTHER ORDERED that Plaintiff's Motion for Appointment of Counsel (ECF No. 10) is DENIED.

IT IS SO ORDERED.

DATED: This 7th day of October, 2019.

ROBERT C. JONES
United States District Judge